

1 HONORABLE ROBERT S. LASNIK
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 PACIFIC SOUND RESOURCES, a
11 Washington non-profit corporation; and
12 THE PORT OF SEATTLE, a Washington
13 municipal corporation,

14 Plaintiffs,
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16 v.
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THE BURLINGTON NORTHERN AND
SANTA FE RAILWAY COMPANY, a
Delaware corporation; J.H. BAXTER &
CO., a California limited partnership; J.H.
BAXTER & CO., a California corporation;
and J.H. BAXTER & CO., INC., a
California corporation,

Defendants.

No. C04-1654L

FRCP 7.1 DISCLOSURE STATEMENT
OF DEFENDANT THE BURLINGTON
NORTHERN AND SANTA FE
RAILWAY COMPANY

20 Pursuant to Fed. R. Civ. Proc. 7.1(a), Defendant The Burlington Northern and Santa Fe

21 Railway Company (“BNSF”) states that it is a nongovernmental corporate party. The
22 corporate parent of BNSF is Burlington Northern Santa Fe Corporation, a publicly held
23 corporation which owns 10% or more of the stock of BNSF.

24 *Equity shares and debt securities of Burlington Northern Santa Fe Corporation are*
25 *publicly traded. Debt securities issued by BNSF are registered with and trade through the New*
26 *York stock exchange.*

DATED this 28th day of December, 2004.

BULLIVANT HOUSER BAILEY PC

/s/ Thomas D. Adams

Thomas D. Adams
WSBA #18470

E-mail: tom.adams@bullivant.com
Attorneys for Defendant, The Burlington
Northern and Santa Fe Railway Company
BULLIVANT HOUSER BAILEY PC
1601 Fifth Avenue
Suite 2300
Seattle, Washington 98101-1618
Telephone: 206.292.8930
Facsimile: 206.386.5130

/s/ John F. Barg

John F. Barg, *Pro Hac Vice*
E-Mail: jfb@bcrlaw.com

Marc A. Zeppetello, *Pro Hac Vice*
E-Mail: maz@bcrlaw.com

Attorneys for Defendants The Burlington
Northern and Santa Fe Railway Company
Barg Coffin Lewis & Trapp, LLP
One Market Steuart Tower, Ste 2700
San Francisco, CA 94105-1475
Telephone: (415) 228-5400
Facsimile: (415) 228-5450

CERTIFICATE OF SERVICE

I hereby certify that on Tuesday, December 28, 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the persons listed below:

Rodney L. Brown Jr.
Gillis E. Reavis
David D. Dicks
Brown, Reavis & Manning
1201 Third Ave., Ste. 320
Seattle, WA 98101
Phone: (206) 292-6300
Fax: (206) 292-6301
Counsel for Plaintiff Pacific Sound/Port of Seattle

James C. Hanken
3210 Wells Fargo Center
999 Third Ave.
Seattle, WA 98104
Phone: (206) 235-7679
Fax: (206) 689-7999
*Counsel for Defendant JH Baxter & Co., and JH
Baxter & Co., Inc.*

John F. Barg, *Pro Hac Vice*
Marc A. Zeppetello, *Pro Hac Vice*
Barg Coffin Lewis & Trapp, LLP
One Market Steuart Tower, Ste 2700
San Francisco, CA 94105-1475
Phone: (415) 228-5400
Fax: (415) 228-5450
*Pro Hac Vice Counsel for Defendants The
Burlington Northern and Santa Fe Railway
Company*

BULLIVANT Houser Bailey PC

By:/s/Elen A. Sale
Elen A. Sale
ele.sale@bulivant.com